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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,563	08/30/2001	Takao Miyazaki	0879-0347P	6146
2292	7590	11/18/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			ZHONG, CHAD	
			ART UNIT	PAPER NUMBER
			2152	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/941,563

Applicant(s)

MIYAZAKI ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/26/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-13 are presented for examination.
2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.
3. Applicant is required to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification. The status of all citations of US filed applications in the specification should also be updated where appropriate.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-8, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donoho et al. (hereinafter Donoho), US 6,801,929, in view of Focsancanu et al. (hereinafter Focsaneanu), US 5,991,292.
6. As per claim 1, Donoho teaches an informing system for informing a user through a local area network, the informing system comprising:

a properties file producing device that produces a properties file showing at least one of the following:

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whether or not an informing job has priority over other informing jobs, whether the informing job will be performed automatically or manually, a range of the informing job (Col. 8, lines 55-67, wherein the job is performed automatically and range of informing jobs are disclosed in this section); and

7. Donoho does not explicitly teach:

which communication apparatus will perform the informing job; and

an informing device that informs the user according to the properties file produced by the properties file producing device.

8. Focsancanu teaches the above section see for example, Col. 15, lines 33-50, in order to avoid communication device failure.

9. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Donoho and Focsancanu because they both dealing with profile managed network devices. Furthermore, the teaching of Focsancanu to specify in the profile which communication apparatus will perform the informing job would improve the functionality for Donoho's system by allowing the user to specify in the user profile which device will act as the informing device.

10. As per claim 3, Donoho teaches the informing system as defined in claim 1, wherein the local area network is a home network in a home (Col. 5, lines 40-45).

11. As per claim 5, Donoho teaches a server that stores the properties file produced by the properties file producing device (Col. 102, lines 1-25, wherein the servers here are the advise provider sites), the remainder of claim 5 is rejected for the same reasons as rejection to claim 1 above.

12. As per claim 7, claim 7 are rejected for the same reasons as rejection to claims 3 above

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respectively.

13. As per claim 13, claim 13 is rejected for the same reasons as rejection to claim 1 above.

14. Claims 2, 4, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donoho et al. (hereinafter Donoho), US 6,237,114, in view of in view of Focsancanu et al. (hereinafter Focsaneanu), US 5,991,292, further in view of Stumer, US 2002/0064271.

15. As per claim 2, Donoho and Focsancanu does not explicitly teaches the informing system as defined in claim 1, wherein the informing device turns on the communication apparatus if the properties file shows that the informing job has the priority over the other informing jobs.

16. Stumer teaches the above section for example [0049], for the advantage of power optimization.

17. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Donoho, Focsancanu and Stumer because they all deal with monitoring computer systems and prioritization of informing jobs. Furthermore, the teaching of Stumer to allow informing device turns on the communication apparatus if the properties file shows that the informing job has the priority over the other informing jobs would improve the effectiveness in energy conservation for Wookey's system by only turning on/activate the module when it is needed to perform a job function.

18. As per claims 4, 6 and 8, claims 4, 6 and 8 are rejected for the same reasons as rejection to claim 2 above.

19. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donoho et al. (hereinafter Donoho), US 6,237,114, in view of Focsancanu et al. (hereinafter Focsaneanu), US 5,991,292, further in view of Kang, US 2003/0074450.

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20. As per claim 9, Donoho and Focsancanu does not explicitly teaches the informing system as defined in claim 5, wherein the server is one of a refrigerator and a telephone that can transmit and receive information through the local area network.

21. Kang teaches the above section see for example [0024], for advantage of using home appliances as part of the network.

22. It would have been obvious to one of ordinary skill in this art at the time of invention was made to combine the teaching of Donoho, Focsancanu and Kang because they both dealing with monitoring computer systems. Furthermore, the teaching of Kang to allow monitoring of home network appliance statuses would improve the effectiveness for Donoho's system by monitoring statuses of devices within a home network comprising of various appliances.

21. As per claim 10-11, claims 10-11 are rejected for the same reasons as rejection to claims 2-3 above respectively.

22. As per claim 12, claim 12 is rejected for the same reasons as rejection to claim 2 above.

Conclusion

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "INFORMING SYSTEM AND METHOD".

- i. US 5257387 Richek et al.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CZ
October 25, 2004



Dung C. Dinh
Primary Examiner